

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

**RICSUNG INTERNATIONAL LIMITED and
FUIJAN MINHOU MINXING WEAVING CO., LTD.**

PLAINTIFFS,

No. 1:08-CV-01213-JDB-egb

vs.

**XEBEX CORPORATION, a/k/a
TETRA PACIFIC CORPORATION,**

DEFENDANT.

ORDER ON PLAINTIFFS' EXPEDITED MOTION TO COMPEL

Before the Court is Plaintiffs' Expedited Motion to Compel Defendant's Full Production of Documents and Responses to Interrogatories; and Attendance of Defendant's Rule 30(b)(6) Representative at Oral Deposition (D.E. 35). This matter was referred to the Magistrate Judge for determination.

On November 23, 2009 a lengthy status conference was held wherein the parties discussed their belief that the issues raised in the Motion would be resolved informally, due to Defendant's new lead counsel's cooperation in routine discovery. Because of the complex nature of the case, including the involvement of international parties, the Court set December 31, 2009 as the new deadline for written discovery, and March 1, 2010 as the revised deadline for all discovery, including depositions. The Court therefore finds that the Motion to Compel is denied as MOOT.

Further, because Plaintiffs underwent the expense of preparing and filing this Motion in order to receive routine discovery from Defendant, Plaintiffs requested expenses including attorney's fees pursuant to Rule 37 of the Federal Rules of Civil Procedure. This Court will hold the issue of sanctions against Defendant in abeyance, and will revisit Plaintiffs' request at the close of discovery.

IT IS SO ORDERED.

s/ Edward G. Bryant
EDWARD G. BRYANT
UNITED STATES MAGISTRATE JUDGE

November 24, 2009
Date